

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 16-20386

v.

Hon. John Corbett O'Meara

JOHN CORTEZ LAMB,

Defendant.

**ORDER DENYING MOTION
PRETRIAL RELEASE**

Before the court is Defendant's motion for review of the magistrate judge's pretrial detention order and for pretrial release, filed July 29, 2016. The government filed a response on August 30, 2016. The court heard oral argument on September 1, 2016, and took the matter under advisement.

Defendant John Cortez Lamb is charged with two counts of felon in possession of a firearm and one count of illegally possessing ammunition. See 18 U.S. C. § 922(g)(1). Magistrate Judge Mona K. Majzoub held a detention hearing on May 25, 2016. The magistrate judge found that "there is clear and convincing evidence that Defendant poses a danger to the community: he is alleged to have engaged in this activity less than two months after being discharged from parole, he has a prior violent felony conviction involving the use of a weapon, and the last

10 years in custody and under supervision have clearly not served as a deterrent.” Detention Order at 3. The magistrate judge found that there was “no condition or combination of conditions which would assure the safety of the community.” Id.

Defendant argues that the magistrate judge erred and that bond conditions, such as a tether and house arrest, could sufficiently protect the community. Upon review, this court agrees with the magistrate judge that the nature of the offense, Defendant’s previous conviction for armed robbery, and the strength of the evidence against him all weigh in favor of detention. The court further agrees with the magistrate judge that, under the circumstances, no combination of conditions exist that will assure the safety of the community.

Accordingly, IT IS HEREBY ORDERED that Defendant’s motion for pretrial release is DENIED.

s/John Corbett O’Meara
United States District Judge

Date: September 6, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, September 6, 2016, using the ECF system.

s/William Barkholz
Case Manager